

Department of Community Planning and Economic Development
Certificate of Appropriateness
BZH-28065

Date: January 7, 2104

Applicant: Jennifer Tschida

Address of Property: 3112 3rd Avenue South

Project Name: Window and door replacement

Contact Person and Phone: Jennifer Tschida, 612-673-5874

CPED Staff and Phone: John Smoley, Ph.D., 612-673-2830

Date Application Deemed Complete: December 12, 2013

Appeal Period Expiration: January 17, 2014

End of 60-Day Decision Period: February 10, 2013

End of 120-Day Decision Period: April 11, 2014

Ward: 8

Neighborhood Organization: Central Area Neighborhood Development Association

Proposed Use: Single-family dwelling

Concurrent Review: n/a

BACKGROUND: The subject property is a single-family residence located mid-block on 3rd Avenue South between 31st and 32nd Avenues South on the western side of the street. In 1989 the City Council designated this property as a contributing resource in the Healy Block Historic District, bordered by 31st and 32nd streets on the north and south, and second and third avenues on the east and west. The district represents one of the finest surviving collections of Queen Anne architecture in Minneapolis and is highly emblematic of the work of master craftsman Theron Potter "T.P." Healy who constructed the majority of the Queen Anne-style homes in the district. Upper-middle income residents who acquired this style of housing included J.B. Hudson, jeweler (3127 Second Ave. S.); the Sears family of Sears and Roebuck; pharmacist Rufus Lane (3123 Second Ave. S.) and Healy himself (3137 and 3115 Second Ave. S.). The Healy Block remains the most intact and concentrated example of Queen Anne architecture constructed by a single builder in 19th century Minneapolis.

In 1993 the district was listed in the National Register of Historic Places. Unlike the local district, the boundaries of the National Register district do not include the entire block, including the subject property, which lies just outside of the district.

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In October 2011 CPED administratively approved the installation of missing front steps.

In June 2012 CPED administratively approved the following work:

1. replacing the nonhistoric rollup steel garage doors on a nonhistoric garage constructed in 1976;
2. replacing one nonhistoric aluminum porch storm door with a wood-frame door;
3. replacing nine nonhistoric aluminum porch storm windows with wood-frame screen windows;
4. replacing (in-kind) rotted wood trim and sills around the porch windows; and
5. replacing (in-kind) rotted, decorative pediment cladding and trim.

The current proposal from the Minneapolis Department of Health (Health Department) is a lead hazard reduction project, initiated in response to a child who was lead poisoned at the property. The property owners have received a Lead Hazard Reduction grant funded by the US Housing and Urban Development agency and administered by the city's Health Department. As part of lead abatement actions, the applicant proposes to:

1. replace sixteen historic wood windows and nonhistoric aluminum storm windows in their existing rough openings; and
2. replace one historic rear wood door.

PUBLIC COMMENT:

Staff has received no public comment on the project.

CERTIFICATE OF APPROPRIATENESS:

Findings as required by the Minneapolis Preservation Code:

The Minneapolis Community Planning and Economic Development Department has analyzed the application based on the findings required by the Minneapolis Preservation Ordinance. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:

(1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.

Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance), as discussed in finding #3 below.

(2) The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.

The exterior portions of the building communicate the building's significance. The building is significant for its Queen Anne architectural style.

The applicant proposes to replace sixteen historic wood-frame windows and all of the building's non-historic aluminum-frame storm windows with nearly identical wood-frame windows and painted aluminum storm windows with safety screens. The applicant also proposes to replace a wooden rear door. No change in method of operation is proposed for these windows (fifteen double hung and one double awning). The proposal is part of the city's efforts to abate lead on the property. Previously installed vinyl windows (which have no lead paint) and a historic wood fixed window (whose lead paint can be encapsulated safely and effectively) at the front of the residence are not proposed for replacement.

The wood-frame windows proposed for replacement are deteriorated and are creating lead dust at levels that astronomically exceed safety thresholds (up to 180 times safe levels, in one instance less than one year after professional cleaning). While they could be repaired, the cost of repair is nearly three times the cost of replacement (\$9,654 vs. \$26,854). This publicly funded lead abatement project budget has been significantly expanded to ensure replacement windows do not damage the building's ability to communicate its historical significance. The project will result in the removal of unpainted aluminum storm windows, proposed to be replaced with painted aluminum storm windows with safety screens. While the safety screens employ thicker metal mesh, which darkens the appearance of the glass, their increased strength will help prevent accidental falls: a serious consideration in a home where several second story windows are eighteen inches or lower.

(3) The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.

The proposed work will not impair the integrity of the property. While historic wood windows are proposed for replacement, many deteriorated components require outright replacement, including many windows whose muntins were removed. The proposed replacement windows will be nearly identical to the historic windows in terms of materials and sizes, with a noticeable difference being slightly thicker meeting rails: strongly advised to support the weight of the large glass panes to be installed.

(4) The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.

The proposal meets all window guidelines required by the Healy Block Historic District Design Guidelines, including requirements to retain decorative windows; match original window proportions and sizes; and utilize double hung wood replacement windows. One window guideline will not be met. Specifically, the applicant is proposing to install painted aluminum storm windows when wood are required. Due to the low nature of some windows (as short as nine inches in one example) the applicant is proposing to install thick aluminum safety screens, designed to support the weight of a person leaning against or falling into them. While wood frames would meet the guidelines, they would become the weakest link in a feature specifically designed to support weight. That combined with the reduced cost of the painted aluminum storm windows (\$5,317 versus \$11,081 for wood frame storm windows) makes their installation appropriate for the building.

The applicant is proposing to replace one paneled wood door at the rear of the property. The district design guidelines require retention of original doors. The age of the door is unknown, but it lies at the far end of the building on a segment whose size and design clearly appears to be a one-story addition,

although no additions are listed on the building permit index card. Few additions are constructed on residences within one decade of their initial construction, making this addition likely built after 1898: the end of the district's period of significance and a mere nine years after the initial construction of the subject building.

Regardless of whether the door is historic or not, the door is heavily deteriorated. The bottom has been trimmed, leaving a sizeable gap for air infiltration. Panels are separating from the remainder of the door. Hardware has been replaced. Severe cracking has also occurred. Replacement is warranted, however the applicant has not specified a proposed door design. Staff recommends that the project be conditioned to ensure the replacement door matches or closely resembles the existing door in terms of materials and dimensions (prior to trimming), including the four panels.

(5) The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.

The applicant is conducting a rehabilitation of the subject property. The rehabilitation guidelines of The Secretary of the Interior's Standards for the Treatment of Historic Properties recommend identifying, retaining, and preserving windows—and their functional and decorative features—that are important in defining the overall historic character of the building. The applicant is proposing to replace historic double hung wood frame windows, but they are deteriorated, impregnated with lead, and proposed to be replaced with nearly identical wood windows. Furthermore, these replacement windows will cost roughly 1/3 the price of window restorations and will permit the city to effectively abate lead in a home with a documented case of lead poisoning in a child. Replacing these windows will not damage the building's ability to communicate its historical significance. Proportionally few replacements will occur at the front of the property, where the applicant proposes to retain the large, historic, fixed wood window on the first floor.

The rehabilitation guidelines of The Secretary of the Interior's Standards for the Treatment of Historic Properties do not recommend changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash that do not fit the historic window opening. The applicant is proposing to install aluminum storm windows with safety screens. They have not included the window dimensions of the proposed storms. Staff recommends that the storm windows be conditioned to have rails and stiles whose widths match or closely resemble those of the replacement windows, to ensure the same area of glass is visible on the exterior of the property. Staff also recommends that the project be conditioned to ensure that the exterior colors of the storm windows and primary windows be painted to match.

The proposal does not indicate the clarity of the proposed window glazing. Staff recommends that the project be conditioned to ensure glazing is clear, with the provision that low E and other energy-efficient glazing is acceptable.

(6) The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.

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Action 8.1.1 of the Minneapolis Plan for Sustainable Growth indicates that the City shall protect historic resources from modifications that are not sensitive to their historic significance. As conditioned, the project will not modify the building in ways that are insensitive to its historical character, as discussed in finding # 5 above.

Comprehensive plan policy 8.1 states that the City will, “Preserve, maintain, and designate landmarks, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture.” As conditioned, the proposed work will help preserve one contributing property within the historic district.

(7) Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.

The project does not involve the destruction of the property.

Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings that alterations are proposed in a manner that demonstrates that the Applicant has made adequate consideration of the following documents and regulations:

(8) Adequate consideration of the description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.

The applicant's proposed use of wood materials (permitted by the district design guidelines) for replacement windows indicates a sensitivity toward the property's ability to communicate its historical significance. The preservation of the large, fixed wood window at the front of the property is highly sensitive and indicative of the applicant's focus on reducing lead hazards, not simply replacing windows.

(9) Where applicable, Adequate consideration of Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.

The proposal does not trigger Site Plan Review required by Zoning Code Chapter 530.

(10) The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.

As conditioned, the application complies with the rehabilitation guidelines of the Secretary of the

Interior's Standards for the Treatment of Historic Properties as discussed in finding #5 above.

Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:

(11) The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.

The project will not authorize changes to other properties within the district.

(12) Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.

As conditioned, the proposed work will not negatively alter the district's essential character.

(13) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.

The request might set a precedent for future cases, but will not formally authorize changes to other Landmarks, Historic Districts, or properties under interim protection without staff or HPC review.

STAFF RECOMMENDATION

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to replace windows on the building located at 3112 3rd Avenue South subject to the following conditions:

1. Glazing shall be clear. Low E and other energy-efficient glazing is acceptable.
2. The proposed storm windows with safety screens shall have rail widths, stile widths, and colors that match or closely resemble those of the historic windows.
3. The replacement door shall match or closely resemble the existing door in terms of materials and dimensions (prior to trimming), including the four panels.
4. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than January 7, 2016.
5. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.

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6. CPED Staff shall review and approve the final plans and elevations prior to building permit issuance.

Attachments:

- A. Vicinity map
- B. Plans